

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

JAIME GUIJOSA-SILVA, et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No.
	:	7:10-cv-17 (HL)
WENDELL ROBERSON FARMS, INC.,	:	
et al.,	:	
	:	
Defendants.	:	
	:	

ORDER

The Court held a discovery hearing in this case on April 12, 2011. The hearing addressed motions to compel filed by the Plaintiffs. This order memorializes the oral rulings made by the Court at the hearing.

The Plaintiffs moved the court to compel Delfino Rodriguez to supplement his subpoena responses (Doc. 43). The motion is denied as moot. At the hearing the Plaintiffs complained that Rodriguez's supplement to his subpoena, served on the Plaintiffs the day before the hearing, was insufficient. Missing from the supplement were cell phone records and bank statements. Rodriguez's attorney agreed to produce the missing documents by Friday, April 15, 2011.

The Plaintiffs' motion to compel complete discovery responses from the Defendants (Doc. 44) is denied in part and granted in part. The requests to produce lists of H-2A workers, business cards, notes, subleases, I-9 tax forms, and documents showing recruitment efforts are denied as moot because the Defendants agreed at the

hearing to allow Plaintiffs' counsel to inspect documents located in the Defendants' barn facility within seven days from the date of the hearing.

The request for the Defendants' SAVE program account number is denied because the account number is confidential and the Plaintiffs did not articulate a sufficient reason to justify its disclosure. The Plaintiffs' remaining requests to compel production of documents are granted. Defendants are ordered to produce computer data regarding Rodriguez's pay, Microsoft Access data showing payroll records, field sheets from 2008-2009, and any data reviewed by Thomas Roberson showing farm productivity.

Plaintiffs' requests to compel the Defendants to amend their responses to requests for admissions are denied. The Defendants' response to request for admission number three is sufficient because it is undisputed that the job orders the Plaintiffs refer to are the job orders the Defendants used to hire the Plaintiffs. The remaining requests are denied because the Defendants clarified their responses at the hearing. The Defendants admitted that Defendants Janice Roberson and Thomas Sidney Roberson had authority as corporate officers consistent with the bylaws to hire and fire employees and they, as corporate officers, had operational control and authority to manage the Defendant Wendell Roberson Farms. The Defendants denied that Rodriguez had authority to hire and fire individuals.

SO ORDERED, this the 15th day of April, 2011.

s/ Hugh Lawson

HUGH LAWSON, SENIOR JUDGE

lmc